

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SHOREGOOD WATER
COMPANY, INC., *et al.*,

*

Plaintiffs,

*

v.

*

Civil Action No. RDB 08-2470

U.S. BOTTLING COMPANY, *et al.*,

*

Defendants.

*

* * * * *

ORDER

For the reasons stated in the foregoing Memorandum Opinion, IT IS this 24th day of February, 2010, HEREBY ORDERED that:

1. Plaintiffs' Motion to Dismiss Amended Counterclaim of William G. Voelp and for More Definite Statement (Paper No. 70) and Motion to Dismiss Amended Counterclaim of John David Cecil and for More Definite Statement (Paper No. 71) are GRANTED IN PART and DENIED IN PART, as follows:
 - (a) They are GRANTED as to the claims for *quantum meruit* in Count IX of the Amended Counterclaims, and accordingly these said counts are DISMISSED;
 - (b) They are GRANTED as to the shareholder derivative claims set forth in Counts XI, and XII of the Amended Counterclaims, and accordingly these said counts are DISMISSED;
 - (c) They are GRANTED insofar as attorneys' fees are not an available remedy under Count IV of the Amended Counterclaims;

(d) They are GRANTED insofar as Counterclaimants lack standing to bring claims under Count VII of the Amended Counterclaims for tortious interference with the prospective business relations with Sun Opta;

(e) They are DENIED as to Counts I, II, III, and VIII of the Amended Counterclaims; and accordingly these said counts may proceed;

(f) They are DENIED with respect to Count VII of the Amended Counterclaims insofar as Counterclaimants' claims for tortious interference with the prospective business relations with Glas Water Sales and the Blind Industries and Services of Maryland may proceed.

2. Copies of this Order and the foregoing Memorandum Opinion shall be transmitted to counsel of record and pro se parties.

/s/
Richard D. Bennett
United States District Judge